

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY
OF MONTGOMERY, VIRGINIA HELD ON THE 28th DAY OF MARCH 2005 AT 7:15 P.M.
IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755
ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Gary D. Creed	-Chair
	Steve L. Spradlin	-Vice Chair
	Mary W. Biggs	-Supervisors
	Doug Marrs	
	John A. Muffo	
	Annette S. Perkins	
	James D. Politis	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Karen Edmonds	-Human Resources Director
	Angie Hill	-Financial & Management Services Director
	T.C. Powers	-Planning Director
	Robert C. Parker	-Public Information Officer
	Steve Sandy	-Zoning Administrator
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Chair called the meeting to order and the Pledge of Allegiance was recited.

PUBLIC HEARINGS

Special Use Permit - Montgomery County (Agent: Montgomery County Public Schools)

Montgomery County (Agent: Montgomery County Schools) request a special use permit on 34.45 acres in Agriculture (A-1), with possible conditions, to allow a lighted park at Eastern Montgomery High School. The property is located at 4695 Crozier Road and is identified as Tax Parcel No. 59-2-10 (Acct ID # 007383) in the Shawsville Magisterial District. The property currently lies in an area designated as a Village Expansion Area in the comprehensive plan.

The Zoning Administrator provided a summary of the proposed special use permit. Montgomery County is requesting a special use permit to allow a lighted park at the Eastern Montgomery High School. The park will consist of a football field and two baseball/softball fields on

approximately 34.45 acres. The lights are designed to illuminate the football field and baseball/softball fields. The light poles will be approximately 85 feet in height. The current county zoning prohibits glare onto adjacent properties or roadways. It requires that the lights be shielded so the direct glare of the bulb is not visible beyond the property line. At their March 23, 2005 meeting, the Planning Commission recommended approval of the special use permit with the following conditions:

1. Site will be developed in substantial conformance with site plan and lighting plans prepared by Anderson and Associates entitled EMHS Stadium Core Improvements.
2. Lighting controls shall be secured and not accessible by the public. School officials shall ensure that lights are out by 11pm unless there are extenuating circumstances that would cause a hazard.

There being no speakers, the public hearing was closed.

Special Use Permit - Town of Christiansburg (Agent: Oliver, Webb, Papas & Rhudy, Inc.)

Town of Christiansburg (Agent: Oliver, Webb, Papas & Rhudy, Inc.) request a special use permit on 11 acres in Agriculture (A-1), with possible conditions, to allow a lighted park. The property is located behind Christiansburg Middle School at 1209 Buffalo Drive and is identified as Tax Parcel No. 92-A-62E (Acct ID #'s 036085) in the Riner Magisterial District. The property currently lies in an area designated as a Urban Expansion in the comprehensive plan.

The Zoning Administrator provided a brief overview of the request. The Town of Christiansburg is requesting a special use permit to allow a lighted park behind the Christiansburg Middle School. The property will consist of three baseball/softball fields and two soccer fields on 11 acres. The proposed park was designed in conjunction with the Christiansburg Middle School building to provide a recreational area for school children during the school day and use by the Town of Christiansburg for after school recreational activities. At their March 23, 2005 meeting, the Planning Commission recommended approval of the special use permit with the same two conditions as listed in the preceding SUP request.

The Planning Commission did express concern regarding county citizens not being eligible to utilize the fields without paying a surcharge. They noted the fields are located within the county and taxpayers of the county fund the school and the parking area used by the Town of Christiansburg. Therefore, they believe the fields should be open to the general public when not in use.

There being no speakers, the public hearing was closed.

Special Use Permit - James C. Page (Agent: Town of Christiansburg) - **WITHDRAWN**

James C. Page and Grayson Franklin Page (Agent: Town of Christiansburg) request a special use permit on 205 acres in Agriculture (A-1), with possible conditions, to allow a biosolid disposal site. The property is located at 2570 Mudpike Road, and is identified as Tax Parcel No(s). 105-A-45, 47 & 54 (Acct ID #'s 019286, 014003, 023766) in the Riner Magisterial District. The property currently lies in an area designated as a Resource Stewardship Area in the comprehensive plan.

By letter dated March 11, 2005, The Town of Christiansburg formally withdrew their request for a Special Use Permit to allow biosolid disposal site.

An ordinance amending Chapter 10, entitled Zoning, Section 10-28(4)

An ordinance amending Chapter 10, entitled Zoning, Section 10-28(4) of the Code of Montgomery County, Virginia, by adding outpatient mental health and substance abuse center to the uses permissible by special use permit in the GB General Business District.

The Zoning Administrator explained the purpose of the amendment is to add outpatient mental health and substance abuse center to the uses permissible by special use permit in general business. Currently these uses are allowed by right in the general business district without requesting a special use permit. This would require the need to request a special use permit from the Board of Supervisors. At their March 23, 2005 meeting, the Planning Commission recommended approval of this amendment.

There being no speakers, the public hearing was closed.

An ordinance amending Chapter 10, entitled Zoning, Section 10-30(3)

An ordinance amending Chapter 10, entitled Zoning, Section 10-30(3) of the Code of Montgomery County, Virginia, adding laboratory, less than ten thousand (10,000) square feet, to the uses permitted by right and adding laboratory, ten thousand (10,000) square feet or greater as a use permissible by special use permit in the M-1 Industrial District

The Zoning Administrator provided a brief summary of the proposed amendment. He explained that the proposed amendment would allow the use of laboratory by right in the Manufacturing Light Industrial District. At their March 23, 2005 meeting, the Planning Commission recommended approval of this amendment

There being no speakers, the public hearing was closed.

An ordinance amending Chapter 10, entitled Zoning, Section 10-31 and 10-33

An ordinance amending Chapter 10, entitled Zoning, Section 10-31 and 10-33, of the Code of Montgomery County Virginia, modifying laboratory, less than ten thousand (10,000) square feet, to the uses permitted by right and adding laboratory, ten thousand (10,000) square feet or greater as a use permissible by special use permit in the M-L Manufacturing Light District, and PIN Planned Industrial District.

The Zoning Administrator provided a brief summary of the proposed amendment. At their March 23, 2005 meeting, the Planning Commission recommended approval of this amendment

There being no speakers, the public hearing was closed.

An ordinance amending Chapter 10, entitled Zoning, Section 10-33(2)

An ordinance amending Chapter 10, entitled Zoning, Section 10-33(2) of the Code of Montgomery County, Virginia, by changing the qualifying lands for the PIN Planned Industrial District in order to be consistent with the new 2025 County Comprehensive Plan

The Zoning Administrator explained this amendment is to change the definition of qualifying lands in the zoning ordinance to be consistent with the new 2025 County Comprehensive Plan. At their March 23, 2005 meeting, the Planning Commission recommended approval of this amendment.

There being no speakers, the public hearing was closed.

An ordinance amending Chapter 10, entitled Zoning, Section 10-61

An ordinance amending Chapter 10, entitled Zoning, Section 10-61 of the Code of Montgomery County, Virginia, by adding definitions for laboratory and outpatient mental health and substance abuse center.

The Zoning Administrator provided a brief summary of the proposed amendment. This amendment adds definitions for laboratory and outpatient mental health and substance abuse center. At their March 23, 2005 meeting, the Planning Commission recommended approval of this amendment.

There being no speakers, the public hearing was closed.

An ordinance amending the Montgomery County 2025 Comprehensive Plan, Section PLU 1.1.1

An ordinance amending the Montgomery County 2025 Comprehensive Plan, Section PLU 1.1.1, by establishing an amendment policy for changes to policy area designations

The Planning Director explained the proposed amendment to Montgomery County's 2025 Comprehensive Plan, Section PLU, 1.1.1. He explained this amendment develops a policy for

changing policy area designations to the 2025 Comprehensive Plan Policy Map. Requests to change the designation on an individual's property may be initiated by the landowner, Planning Commission, or the Board of Supervisors. The proposed policy helps establish a time frame to initiate a request and criteria. At their March 23, 2005 meeting, the Planning Commission recommended approval of this amendment

There being no speakers, the public hearing was closed.

PUBLIC ADDRESS SESSION

Alicia Spitzer expressed concerns with teacher compensation and spoke in support of the proposed school budget. The proposed school budget includes funding for the second year of the compensation plan developed last year. She urged the Board of Supervisors not to leave the teachers behind.

Fran Rooker, Brain Injury Services of Southwest Virginia, spoke in support of their request for \$11,000 in the FY 05-06 proposed budget. Ms. Rooker explained that her son, Jason, at the age of ten received a brain injury in an accident and died 15 months later. She expressed her frustration at the lack of service for brain injury victims in Southwest Virginia at that time. Ms. Rooker urged the Board to consider funding this request.

Virginia Smith, President of the Education Association, spoke in support of the proposed school budget for teacher compensation. Ms. Smith stated the School Board developed a three-year proposal for teacher compensation and the proposed school budget includes funding for the second year. Ms. Smith urged the Board to consider fully funding the proposed school budget in order to provide adequate compensation to the teachers of Montgomery County.

There being no further speakers, the public address session was closed.

ADD TO THE AGENDA - ADDENDUM # 1

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the following Addendum #1 dated March 28, 2005 was added to the agenda under Delegation:

New River Valley CARES

Cindy Hamilton, NRV CARES, will make a presentation on NRV CARES and request for funding.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
Steve L. Spradlin	
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Gary D. Creed	

DELEGATION

Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2004

John Aldridge, Brown, Edwards and Company, L.L.P., presented the Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 2004. Mr. Aldridge described the audit process and explained Montgomery County's compliances with regulations as required by the state.

Montgomery County Public Schools – FY 2005-2006 Budget

Tacy Newell, Chair, Montgomery County Public Schools; Jim Sellers, Interim School Superintendent; and Walt Shannon, Management Services Director, presented an overview of the Montgomery County Public School's proposed budget for FY 2005-2006. The proposed School budget for FY 05-06 totals \$82.9 million. This total includes \$892,366 for a step increase of 1.6% for all school employees and \$4,197,252 to implement the second year of the adopted three year plan to improve salaries to statewide averages. Montgomery County Public School personnel costs for salaries and benefits comprise 87% of the operating budget.

New River Valley CARES

Cindy Hamilton, NRV CARES Director, made a presentation on New River Valley CARES. NRV CARES is dedicated to protecting children and strengthening families through education, advocacy and community partnerships. Programs are aimed at preventing or interrupting the cycle of child abuse and include Court Appointed Specialist Advocate (CASA) and Child Abuse Prevent Programs. Last year in the New River Valley, 254 children were confirmed victims of abuse and neglect, with 66 of the confirmed cases in Montgomery County. Pulaski County ranked 1st in the Commonwealth of Virginia with the highest number of cases of confirmed child abuse and neglect with 97 cases. Studies have shown that abused and neglected children are less likely to be school ready and more likely to exhibit behavior disorders; more likely to become teen parents and juvenile criminals; and more likely to abuse alcohol and drugs. The impact of child abuse is very costly for our community and its resources. Direct costs include hospitalization, social services, law enforcement, judicial system, mental health services, at an estimated cost of \$66 million per day in the United States. Indirect costs include special

education, juvenile delinquency, health care and mental health care, at an estimated cost of \$190 million per day in the United States.

NRV CARES is requesting \$4,560 from Montgomery County in FY 2005-2006 to help support its operating cost. This request is based upon past and current services to the community. They are requesting funding from all areas served: Montgomery County, Giles County, Pulaski County and Radford City. Ms. Hamilton urged the Board to consider fully funding their request of \$4,560 for FY 2005-2006.

ADD TO THE AGENDA - ADDENDUM #2

On a motion by Mary W. Biggs, seconded by Steve L. Spradlin and carried unanimously, the following addendum #2 dated March 28, 2005 was added to the agenda under Closed Meeting:

Section 2.2-3711

- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body

1. County Property adjacent to Prices Fork Road

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
James D. Politis	
Annette S. Perkins	
Steve L. Spradlin	
Doug Marrs	
Mary W. Biggs	
Gary D. Creed	

CONSENT AGENDA

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously, the Consent Agenda dated March 28, 2005 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
Steve L. Spradlin	
John A. Muffo	
James D. Politis	
Annette S. Perkins	
Mary W. Biggs	
Gary D. Creed	

Approval of Minutes

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously, the minutes dated January 10, 2005, January 24, 2005, February 14, 2005 and February 21, 2005 were approved.

A-FY-05-79 CLERK OF CIRCUIT COURT TECHNOLOGY TRUST FUNDS

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2005, for the function and in the amount as follows:

250 Clerk of Circuit Court	\$11,212
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
02250-423100 Shared Expenses	\$11,212

Said resolution appropriates Technology Trust fund monies to cover the cost of computer equipment in the Clerk's office.

A-FY-05-80
SHERIFF
FORFEITED ASSET SHARING PROGRAM

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2005, for the function and in the amount as follows:

320	Sheriff – County	\$2,160
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

419104	Confiscations	\$2,160
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Said resolution appropriates monies received in the Forfeited Asset Sharing Program from the Department of Criminal Justice Services.

A-FY-05-81
COMMONWEALTH'S ATTORNEY
FORFEITED ASSET SHARING PROGRAM

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2005, for the function and in the amount as follows:

200	Commonwealth's Attorney	\$234
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The sources of the funds for the foregoing appropriation is as follows:

Revenue Account

419104	Confiscations	\$234
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Said resolution appropriates monies received in the Forfeited Asset Sharing Program from the Department of Criminal Justice Services.

A-FY-05-82
SCHOOL OPERATING FUND
SUPPLEMENTAL APPROPRIATION

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Funds was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2005, for the function and in the amount as follows:

09	School Operating Fund	
	561000 Instruction	\$214,143

The sources of funds for the foregoing appropriation are as follows:

Revenue Account:

09 418301	Homeless Education Grant	\$ 16,855
09 418302	Universal Service Discounts E-Rate	<u>\$197,288</u>
	Total	\$214,143

Said resolution appropriates additional funds for the School Operating Fund.

A-FY-05-83
LIBRARY
APPROPRIATION ADJUSTMENT

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2005, for the function and in the amount as follows:

710	Montgomery Library	\$49,559
720	Floyd Library	<u>\$15,257</u>
	Total	\$64,816

The sources of the funds for the foregoing appropriation are as follows:

Revenue Account

02710-416152	Fees	\$ 2,049
02710-416151	Library Fines	\$38,565
02710-419108	Recovered Costs	\$ 294
02710-416158	Donations	\$ 3,111
02710-424401	State grants	\$ 5,540

02720-424401	State grants	\$ 2,770
02720-416158	Donations	\$ 405
02720-416151	Library Fines	\$12,052
02720-419108	Recovered Costs	<u>\$ 30</u>
	Total	\$64,816

Said resolution appropriates additional funds collected for use by the Library.

**A-FY-05-84
PARKS AND RECREATION
DONATIONS**

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2005, for the function and in the amount as follows:

700	Parks & Recreation	\$2,250
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The source of funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
416158	Donations	\$2,250

Said resolution appropriates funds received from donations.

**A-FY-05-85
MEDICAL EXAMINER
TRANSFER FROM GENERAL CONTINGENCIES**

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

950	General Contingencies	(\$600)
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TO:

910	Outside Agencies – Medical Examiner	\$600
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Said resolution transfers appropriated funds from General Contingencies to Medical Examiner to cover invoices received from the state for the Medical Examiner.

R-FY-05-185
ACKNOWLEDGE SPEED STUDY
CHRISMAN MILL ROAD (SR 661)

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Montgomery County Board of Supervisors received a petition from concerned citizens requesting a speed study on Chrisman Mill Road (SR 661) beginning at the intersection of Silver Lake Road and ending at the Town of Christiansburg's corporate limits, in order to reduce the speed limit; and

WHEREAS, By resolution dated November 10, 2004 the Board referred said request to the Virginia Department of Transportation for a traffic study on Chrisman Mill Road (SR 661) to determine the feasibility of reducing the speed limit; and

WHEREAS, The Resident Engineer has responded that a speed study has been completed by VDOT's Traffic Engineering Division; and

WHEREAS, As a result of the speed study, the Department of Transportation does not recommend reducing the speed limit at this time based upon the rural nature of the road and lack of accidents.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia acknowledges receipt of the Resident Engineer's report that this road not be posted for a speed limit at this time and extends its appreciation to the Virginia Department of Transportation for the report.

R-FY-05-186
ACKNOWLEDGE SPEED STUDY
FAIRVIEW CHURCH ROAD (SR 669)

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Montgomery County Board of Supervisors received a petition from concerned citizens requesting a speed study on Fairview Church Road (SR 669) beginning at the intersection of Childress Road for approximately two miles on Fairview Church Road to improve the safety in this area; and

WHEREAS, By resolution dated December 14, 2004 the Board referred said request to the Virginia Department of Transportation for a traffic study on Fairview Church Road (SR 669) to determine the feasibility of reducing the speed limit; and

WHEREAS, The Resident Engineer has responded that a speed study has been completed by VDOT's Traffic Engineering Division; and

WHEREAS, As a result of the speed study, the Department of Transportation does not recommend reducing the speed limit at this time based upon lack of sufficient development, rural nature of the road, and accident data; however, it is recommended that additional signing be installed.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia acknowledges receipt of the Resident Engineer's report that a speed limit reduction is not recommended at this time and extends its appreciation to the Virginia Department of Transportation for the report.

OLD BUSINESS

R-FY-05-187 NEW RIVER VALLEY DEVELOPMENT CORPORATION REQUEST FOR FUNDING

On a motion by Annette S. Perkins, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby defers action on the New River Valley Development Corporation's request for funding to offset the operational shortfall of the NRV Development Corporation Center until such time that the other seven jurisdictions agree to fully fund the amount requested of each jurisdiction by the NRV Development Corporation.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Steve L. Spradlin	None
Annette S. Perkins	
James D. Politis	
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
Gary D. Creed	

NEW BUSINESS

**R-FY-05-188
RESOLUTION OF APPRECIATION
INDUSTRIAL DEVELOPMENT AUTHORITY
JAMES C. STEWART**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

WHEREAS, James C. Stewart has faithfully served as a member of the Industrial Development Authority since February 1989; and

WHEREAS, James C. Stewart served as Vice Chairman of the IDA in 1993, 1997-98 and as Chairman in 1994, 1998-1999; and

WHEREAS, The County recognizes the impartial and dedicated service that ***James C. Stewart*** has rendered the citizens of Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to ***James C. Stewart*** for his outstanding public service.

BE IT FURTHER RESOLVED, That the original of this resolution be presented ***to James C. Stewart*** and that a copy be a part of the official minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
Steve L. Spradlin	
Annette S. Perkins	
Gary D. Creed	

R-FY-05-189
RESOLUTION OF APPRECIATION
INDUSTRIAL DEVELOPMENT AUTHORITY
C. ELVAN PEED

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

WHEREAS, C. Elvan Peed has faithfully served as a member of the Industrial Development Authority since February 1997; and

WHEREAS, C. Elvan Peed served as Chairman of the IDA in 1999-2000; and

WHEREAS, The County recognizes the impartial and dedicated service that **C. Elvan Peed** has rendered the citizens of Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to **C. Elvan Peed** for his outstanding public service.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to **C. Elvan Peed** and that a copy be a part of the official minutes of Montgomery County

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
James D. Politis	
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
Steve L. Spradlin	
Gary D. Creed	

INTO WORK SESSION

On a motion by Mary W. Biggs, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. FY 2005-2006 Proposed Budget
2. Tax Exemption and Deferral for the Elderly and Handicapped

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Mary W. Biggs	
Doug Marrs	
Steve L. Spradlin	
Annette S. Perkins	
James D. Politis	
Gary D. Creed	

OUT OF WORK SESSION

On a motion by Annette S. Perkins, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Mary W. Biggs	
Doug Marrs	
Steve L. Spradlin	
Annette S. Perkins	
James D. Politis	

OTHER BUSINESS

Advertise Proposed Real Estate Tax Rate

Supervisor Muffo made a motion to advertise the proposed real estate tax rate at 70 cents, a three- cent increase. The motion died due to lack of a second.

Supervisor Spradlin made a motion to advertise the real estate tax rate at 67 cents, no increase. The motion died due to lack of a second.

R-FY-05-190
ADVERTISE PROPOSED
REAL ESTATE TAX RATE

On a motion by James D. Politis, seconded by Annette S. Perkins and carried,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby authorizes the County Administrator to advertise the proposed real estate tax rate at 72 ¢ per \$100 of the assessed valuation of real estate based on 100% of fair market value.

The vote on the foregoing motion was as follows:

AYE

Annette S. Perkins
James D. Politis
John A. Muffo
Mary W. Biggs

NAY

Doug Marrs
Steve L. Spradlin
Gary D. Creed

R-FY-05-194
SCHEDULE PUBLIC HEARING
FOR PROPOSED FY 05-06 COUNTY BUDGET AND TAX RATE

On a motion by Steve L. Spradlin, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby schedules a public hearing for 7:00 p.m., Thursday, April 7, 2005 on the Proposed FY 05-06 County Budget.

BE IT FURTHER RESOLVED, The Board of Supervisors hereby schedules a public hearing for 7:30 p.m. Thursday, April 7, 2005 on real estate property tax levy increase from \$.67 to \$.72 per \$100 of assessed value.

The vote on the foregoing motion was as follows:

AYE

Steve L. Spradlin
Annette S. Perkins
James D. Politis
John A. Muffo
Mary W. Biggs
Doug Marrs
Gary D. Creed

NAY

None

BOARD MEMBERS' REPORT

Supervisor Biggs Planning Commission Meeting Supervisor Biggs reported the Prices Fork Village meeting to discuss the planning of the Prices Fork Village is scheduled for April 16, 2005.

Brain Injury Services of Southwest Virginia Supervisor Biggs asked the amount requested by the Brain Injury Services of Southwest Virginia in the upcoming budget. The County Administrator reported they requested \$11,000.

Supervisor Politis Department of Social Services Supervisor Politis asked that the Board of Supervisors proceed with plans for the Department of Social Services (DSS) to join the County's Compensation and Classification Plan. He stated monthly meetings have occurred between the County and DSS over the last year to discuss this issue. An agreement has been drafted and will need to be agreed upon by both parties.

It was the consensus of the Board of Supervisors for staff to proceed with reviewing the draft agreement in order to add the Department of Social Services to the County's compensation and classification plan.

Supervisor Marrs reported he would like for the Board to consider funding NRV CARES request for \$4,560 in the FY 05-06 budget.

R-FY-05-195 NEW RIVER VALLEY CARES FUNDING FOR FY 05-06

On a motion by Doug Marrs, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby authorizes the County Administrator to reduce funding by \$4,560 in the General Contingencies Division of the FY 05-06 Proposed budget and add \$4,560 in funding for the New River Valley CARES Program.

The vote on the foregoing motion was as follows:

AYE

Mary W. Biggs

Doug Marrs

Steve L. Spradlin

Annette S. Perkins

James D. Politis

John A. Muffo

Gary D. Creed

NAY

None

BOARD REPORTS CONTINUED

Supervisor Muffo reported New River Valley Community Services now has available their new public information DVD, "Making a Difference". The ten-minute video features testimonials from some of NRVCS consumers and family members on how they have found help through NRVCS.

Supervisor Spradlin reported the Prices Fork Village Committee held its first meeting with an estimated 30-35 people in attendance. The committee offered some great ideas and showed great interest in developing the village in Prices Fork.

Supervisor Creed reported drainage issues on Old Town Road and requested VDOT be contacted to clean out the drainage pipes.

EXTENSION OF MEETING

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously, the April 11, 2005 Board of Supervisors meeting is hereby extended to 12:00 a.m.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
Mary W. Biggs	
Doug Marrs	
Steve L. Spradlin	
Annette S. Perkins	
James D. Politis	
Gary D. Creed	

INTO CLOSED MEETING

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

- | | | |
|------------------|-----|---|
| Section 2.2-3711 | (1) | Discussion , Consideration or Interviews of Prospective, Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body |
| | | 1. Industrial Development Authority (2 Appointments) |
| | | 2. Montgomery-Floyd Regional Library Board |

3. Parks and Recreation Commission (2 Appointments)

- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body

1. County Property adjacent to Prices Fork Road

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Steve L. Spradlin	None
Annette S. Perkins	
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
James D. Politis	
Gary D. Creed	

OUT OF CLOSED MEETING

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Annette S. Perkins	None
John A. Muffo	
Mary W. Biggs	
Doug Marrs	
James D. Politis	
Steve L. Spradlin	
Gary D. Creed	

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

John A. Muffo
Mary W. Biggs
Doug Marrs
James D. Politis
Steve L. Spradlin
Annette S. Perkins
Gary D. Creed

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

APPOINTMENTS

R-FY-05-191 INDUSTRIAL DEVELOPMENT AUTHORITY APPOINTMENT

On a motion by Steve L. Spradlin, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Larry J. Linkous** to the Industrial Development Authority (IDA) effective March 29, 2005 and expiring March 28, 2009.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Steve L. Spradlin	None
Mary W. Biggs	
John A. Muffo	
James D. Politis	
Annette S. Perkins	
Doug Marrs	
Gary D. Creed	

R-FY-05-192 INDUSTRIAL DEVELOPMENT AUTHORITY APPOINTMENT

On a motion by Steve L. Spradlin, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **F. Spencer Hall** to the Industrial Development Authority (IDA) effective March 29, 2005 and expiring March 28, 2009.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Steve L. Spradlin	None
Mary W. Biggs	
John A. Muffo	
James D. Politis	
Annette S. Perkins	
Doug Marrs	
Gary D. Creed	

R-FY-05-193
MONTGOMERY-FLOYD REGIONAL
LIBRARY BOARD APPOINTMENT

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **Joe Meredith** to the Montgomery-Floyd Regional Library Board effective March 29, 2005 and expiring June 30, 2006.

Said appointment fills the unexpired term of Shirley Hallock, resigned.

The vote on the foregoing resolution was as follows:

AYE

John A. Muffo
Mary W. Biggs
Annette S. Perkins
James D. Politis
Steve L. Spradlin
Gary D. Creed

NAY

Doug Marrs

ADJOURNMENT

On a motion by John A. Muffo, seconded by James D. Politis and carried unanimously, the Board adjourned to Thursday, April 7, 2005 at 7:00 p.m.

The vote on the foregoing motion was as follows:

AYE

Doug Marrs
Mary W. Biggs
Annette S. Perkins
James D. Politis
Steve L. Spradlin
John A. Muffo
Gary D. Creed

NAY

None

The meeting adjourned at 11:59 p.m.

APPROVED: _____ ATTEST: _____
Gary D. Creed , Chair B. Clayton Goodman, III
County Administrator